

Mayor Bill Seuell called the meeting to order at 7:00 p.m. Also present were Councilmembers Mary Cooper, Jim Berger, Kay Carlquist, and Robert Jurca, along with City Manager Lanny Sloan and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

It was moved by Councilmember Carlquist and seconded by Councilmember Cooper to remove Item S (**Vendor Fee Discussion**) from the Agenda until further into the process of preparing the 2008 budget. All in favor, motion carried.

City Manager Sloan requested that Item U, **Recreation Center Floor Bids**, be removed from the Agenda pending further investigation by staff. It was moved by Councilmember Carlquist and seconded by Councilmember Berger to remove Item U from the Agenda. All in favor, motion carried.

Minutes

It was moved by Councilmember Berger and seconded by Councilmember Carlquist to approve the minutes of July 17, 2007, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

Frank Tranchina of 763 1630 Road asked a question concerning the use of monies received from the sale of the White Ranch property and the property adjacent to Devil's Thumb Golf Course to pay down debt related to the golf course. Mayor Seuell explained that the Citizen Comments period is designed to allow citizens to address comments to Council, and that Council's practice is NOT to answer questions at that time. [Note: City Manager Sloan addressed Mr. Tranchina's questions later in the meeting during the City Manager's comment period.]

Introduction of New Police Department Employees

Police Chief Richard Bacher introduced Rebecca Havens, the Department's new Victims' Service Coordinator, and Police Officers Shaun Sanchez, Trent Hill, and Summer Kirkpatrick.

Retail Liquor Store License Renewal: Moonshine Liquors

The Clerk reported that the renewal application was complete and that the renewal fees had been paid. The Police Department's report indicated no liquor code violations during the past year and recommended approval of the renewal.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to approve the Retail Liquor Store License renewal application for Moonshine Liquors. All in favor, motion carried.

Jennings Landing Annexation Agreement

Community Development Director Glen Black noted that Council had previously reviewed the agreement and recommended some changes. The Developer has now made the requested changes. and has returned the signed agreement for Council approval.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to authorize the City Manager to sign the "Dedication, Agreement and Declaration of Covenants" for the annexation of property know as Jennings Landing. All in favor, motion carried.

Resolutions #5 - #7, 2007; Findings of Fact and Conclusions with Respect to the Annexation of the Jennings Landing Additions No. 1 – No. 3

Resolution #5, 2007

A RESOLUTION OF THE CITY OF DELTA, COLORADO, SETTING
FORTH FINDINGS OF FACT AND CONCLUSIONS WITH
RESPECT TO THE ANNEXATION OF THE JENNINGS LANDING
ADDITION NO. 1

Regular Meeting, Delta City Council, August 7, 2007 (Cont.)

Resolutions #5, - #7, 2007 (Cont.)

and

Resolution #6, 2007

A RESOLUTION OF THE CITY OF DELTA, COLORADO, SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS WITH RESPECT TO THE ANNEXATION OF THE JENNINGS LANDING ADDITION NO. 2

and

Resolution #7, 2007

A RESOLUTION OF THE CITY OF DELTA, COLORADO, SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS WITH RESPECT TO THE ANNEXATION OF THE JENNINGS LANDING ADDITION NO. 3

were read by the Clerk.

It was moved by Councilmember Berger and seconded by Councilmember Jurca to adopt Resolutions #5, #6, and #7, 2007. Roll call vote: Councilmembers Cooper, aye; Berger, aye; Carlquist, aye; Jurca, aye; and Seuell, aye. Motion carried.

Ordinances #16 - #18, 2007; First and Final Reading; Annexation of Jennings Landing Additions No. 1 – No. 3

Ordinance #16, 2007

AN ORDINANCE OF THE CITY OF DELTA, COLORADO FOR THE ANNEXATION OF THE JENNINGS LANDING ADDITION NO. 1 AND DECLARING AN EMERGENCY

and

Ordinance #17, 2007

AN ORDINANCE OF THE CITY OF DELTA, COLORADO FOR THE ANNEXATION OF THE JENNINGS LANDING ADDITION NO. 2 AND DECLARING AN EMERGENCY

and

Ordinance #18, 2007

AN ORDINANCE OF THE CITY OF DELTA, COLORADO FOR THE ANNEXATION OF THE JENNINGS LANDING ADDITION NO. 3 AND DECLARING AN EMERGENCY

were introduced as Council Bills #16, #17, and #18, 2007, respectively, and read by the Clerk.

Community Development Director Black stated that all three annexation ordinances are emergency ordinances and addressed the reasons for using emergency ordinances for annexations. Using non-emergency ordinances for annexations puts the property being annexed in a jurisdictional “limbo” between the time the annexation ordinance is adopted on first reading and the time the annexation becomes final six weeks later, following adoption on second reading, publication, and the mandatory 30-day waiting period after publication.

Additionally, the Jennings Landing annexation is a 100% owner-requested annexation, for which the annexation hearing was held on May 1, 2007. Since then, the City and the developer have been negotiating the annexation agreement approved by Council earlier in the meeting. The owner has requested that the ordinances be adopted as emergency measures in order to avoid further delay in finalizing the annexation.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to adopt Council Bills #16, #17, and #18, 2007, on first and final reading. Roll call vote: Councilmembers Cooper, aye; Berger, aye; Carlquist, aye; Jurca, aye; and Seuell, aye. Council Bills #16, #17, and #18, 2007 were adopted on first and final reading as Ordinances #16, #17, and #18, 2007, respectively.

Regular Meeting, Delta City Council, August 7, 2007 (Cont.)

Council Bill #19, 2007; First Reading; Initial Zoning of the Jennings Landing Additions

Council Bill #19, 2007

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
PROVIDING INITIAL ZONING FOR A PORTION OF THE
JENNINGS LANDING ADDITION NO. 3

was read by the Clerk.

Community Development Director Black explained that the developer has requested R-2 zoning for the portion of the property just annexed on which the Jennings Landing subdivision will be developed. The remaining portion of the newly annexed property will be zoned at a later date. Mr. Black went on to explain that the Planning Commission reviewed the initial zoning request at their meeting on May 7, 2007, and recommended approval of the requested R-2 zoning.

It was moved by Councilmember Carlquist and seconded by Councilmember Berger to adopt Council Bill #19, 2007 on first reading. Roll call vote: Councilmembers Cooper, aye; Berger, aye; Carlquist, aye; Jurca, aye; and Seuell, aye. Motion carried.

Jennings Landing Sketch Plan

The Community Development Director reported that the Planning Commission reviewed the sketch plan for the Jennings Landing subdivision at their May 7th meeting and recommended approval to City Council with all changes recommended in the staff report, most of which have already been made by the developer and will be seen by Council at the preliminary plat review.

Using Power Point, Matt Brezonick of Jehn Engineering, representing the developer, presented the developer's plans for subdividing approximately 102 acres adjacent to Sweitzer Lake State Park. As originally presented to the Planning Commission, the sketch plan showed approximately 249 lots for 273 units, which would include 27 estate lots, 26 medium density lots, 162 high density lots, and 24 duplexes. Mr. Black and Mr. Brezonick answered questions from Council concerning stability of some of the lots along the edge of the bluff and the developer's willingness to work with the State to protect the adjacent State Park.

It was moved by Councilmember Berger and seconded by Councilmember Carlquist to approve the sketch plan for Jennings Landing as recommended by the Planning Commission, contingent on finalization of the R-2 zoning for the newly annexed property. All in favor, motion carried.

5th Street Overlay Project

Public Works Director Jim Hatheway reported that the 5th Street Overlay Project will place a 2" asphalt overlay on 5th Street between Hartig Drive and 1800 Road where the road has become very rough due to utility construction and general wear and tear due to daily traffic.

Bids for the project were received as follows:

Elam Construction	\$159,292.50
Asphalt Specialists	\$159,955.00
United Companies	\$159,969.00

The Public Works Director recommended awarding the contract to low bidder Elam Construction.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to award the contract for the 5th Street Overlay Project to Elam Construction in the amount of \$159,292.50. All in favor, motion carried.

Delta Urban Renewal Authority: Delta Area Chamber of Commerce Lease

Mayor Seuell recessed the regular Council meeting and convened a meeting of the Delta Urban Renewal Authority.

Manager Sloan explained that the lease between DURA and the Delta Area Chamber of Commerce for the Chamber offices at 301 Main Street will expire on December 31, 2007. The Chamber had requested a 20-year extension of the current lease. After several work sessions and Council meetings, it was decided to prepare a new 20-year lease with the same conditions as the previous lease. He added that the only difference between the proposed new lease and the expiring one is that terms of the original agreement which have already been met have been removed from the new agreement. Otherwise the terms are identical.

Regular Meeting, Delta City Council, August 7, 2007 (Cont.)

Delta Urban Renewal Authority (Cont.)

It was moved by DURA Commissioner Carlquist and seconded by DURA Commissioner Berger to authorize the DURA Board Chairman to sign the new 20-year lease for the building at 301 Main Street with the Delta Area Chamber of Commerce. All in favor, motion carried.

Mr. Seuell adjourned the DURA meeting and reconvened the regular Council meeting.

Election Discussion

City Manager Sloan noted that at an earlier meeting, Council had voted to place two questions on the November ballot. However, discussion at a recent work session indicated that several Councilmembers would be interested in delaying the vote on those two questions.

It was moved by Councilmember Berger and seconded by Councilmember Jurca that the questions concerning de-Brucing and the continuation of the recreation sales tax NOT be placed on the November ballot. All in favor, motion carried.

Wastewater Treatment Project Bids

Utilities Director Fay Mathews presented the bids for the Wastewater Treatment Plant Headworks Improvements Project. He explained that this project consists of replacing the three screw pumps at the wastewater treatment plant and providing a new rotary drum screen. The general contract includes all work associated with the project, including electrical and painting subcontracts. The bids were as follows:

Southwest Contracting (Cortez)	\$402,424
Moltz Construction (Salida)	\$405,600
Garney Construction (Littleton)	\$460,000
Stanek Constructors (Golden)	\$511,000

Mr. Mathews explained that Southwest Contracting submitted a bid based on the engineers' drawings and specifications, with no exceptions, and they meet the experience requirements for the project. Their bid is below the engineers' estimate of \$430,000. Staff recommended awarding the general contract for the project to Southwest Contracting.

It was moved by Councilmember Berger and seconded by Councilmember Carlquist to award the general contract for the 2007 Headworks Improvements at the wastewater treatment plant to Southwest Contracting, Inc. in the amount of \$402,424.00. All in favor, motion carried.

Animal Resource Center Remodel Project

Chief of Police Bacher reported that his staff has been working on improving conditions at the current animal resource shelter. A project installing outdoor kennels was recently completed, and efforts are now directed to improvements to the interior of the shelter.

Two bids were received for the remodel project as follows:

Cole & Company Builders, LLC	\$34,300.00
PNCI Construction, Inc.	\$45,335.00

Both bidders are from Grand Junction and both are qualified for the items needed in the remodel.

Chief Bacher reported that \$44,500 was budgeted for the project. With \$50,266.45 remaining in the Kay Douglas Trust Fund, funding is available to complete the upgrades at the shelter. Staff recommends awarding the contract to low bidder Cole & Company.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to award the remodel of the animal shelter to Cole & Company Builders, LLC in the amount of \$34,300.00. All in favor, motion carried.

City Attorney Comments

The City Attorney had no comments.

Regular Meeting, Delta City Council, August 7, 2007 (Cont.)

City Manager Comments

Golf Course Debt

In response to the question asked earlier by Frank Tranchina, Manager Sloan reported that the proceeds from the sale of the White Ranch have already been applied to pay down the debt on the golf course. The closing for the sale of the property adjacent to the golf course is scheduled for October. As soon as that money is available, it will also be applied to the debt on the golf course.

Transmission Line Project Update

At the City Manager's request, the Utilities Director gave a progress report on the transmission line project. Mr. Mathews reported that the County permit has been approved, and that the group is now working on the BLM permit application. That process should take six to eight months, with the BLM permit expected to be issued by August of 2008.

Manager Sloan reported that staff is well into the budget process. Work sessions with Council will be scheduled in the near future.

Councilmember Comments

Councilmember Cooper commented on the beautiful flowers on Main Street and mentioned that that the County Fair is this week.

Councilmember Berger reported attending a recent Project 7 Board meeting at which the main topic of discussion was the need to add capacity sooner than had been anticipated.

Mr. Berger also reported attending the open house for the new district librarian.

Councilmember Carlquist reported attending a Delta Housing Authority meeting. DHA is moving forward with the workforce housing project, which will consist of 50 units – one, two and three bedroom apartments – and will be located between 14th Street and Bluff Street. A purchase agreement for the property has been signed and the Housing Authority is currently working on financing for the project. Ms. Carlquist added that last week, she met with Manager Sloan, DHA Executive Director Rich Englehart, and DHA Board Chairman Bob Barnes concerning what role the City might assume in helping with the project.

Councilmember Jurca reported attending a Juvenile Diversion Board meeting. The Board is encouraging the use of youthful offenders needing to perform “useful public service” and mentioned that such workers have been used for Council Tree Powwow in the past. Mr. Jurca offered to attend the next meeting, scheduled for August 29th at 2:30 p.m.

Mayor Seuell mentioned that U.S. Representative Salazar will be in town on Friday.

The meeting was adjourned at 8:20 p.m.

Mary Lynn Williams, CMC, City Clerk